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NOTES OF CASES.

EMINENT DOMAIN—CONSTRUCTION.—A railroad company having power to condemn land for a right of way for a switch track is held, in *Louisville & N. R. Co. v. Pittsburgh & K. Coal Co.* (Ky.), 55 L. R. A. 601, to have no power to bind itself by an agreement with a dealer in coal that, in consideration of the right to place the track on his land, it will not be used to haul coal for other persons having access to it.

GOVERNORS—RIGHT TO EMPLOY ASSOCIATE COUNSEL.—The governor's implied authority is held, in *Cahill v. State Auditors* (Mich.), 55 L. R. A. 493, not to extend to the employment of counsel at the expense of the State in drafting proposed amendments to the State Constitution.

With this case is a note collating the authorities as to governors' power to employ counsel for the State.

SERVICE OF PROCESS—MISAPPREHENSION BY PARTY SERVED.—A defendant is held, in *Travelers' Protective Asso. v. Gilbert* (C. C. App. 8th C.), 55 L. R. A. 538, to have no right to avoid a judgment against it on the ground that its agent on whom the process was served misapprehended the nature of the act, believing he was not the proper person to receive service, and therefore failed to notify defendant, which was thereby deprived of the opportunity of making a defense.

FRAUDULENT PAUPERS—LIABILITY OF ESTATES.—Persons who were induced to support a woman during several years by her fraudulent pretense that she was destitute, when in fact she had a considerable estate in bank, are held, in *Anderson v. Eggers* (N. J. Eq.), 55 L. R. A. 570, to be entitled to be recompensed out of the estate for the money and property so furnished to her.

Authorities on the liability of an alleged pauper or his estate to pay for support or gifts obtained on the ground of poverty are reviewed in a note to this case.

CONTRACTS—AGREEMENT NOT TO SELL UNDER SPECIFIED PRICE.—A stipulation in a contract for the sale of a proprietary medicine, that the purchaser shall not sell it for less than a specified price, is held, in *Garst v. Hall & L. Co.* (Mass.), 55 L. R. A. 631, not to follow the medicine into the hands of a subsequent vendee.

The right of a purchaser of personal property to sell or use it free from restrictions affecting it in the hands of the vendor is considered in a note to this case.

CARRIERS OF BAGGAGE NOT ACCOMPANIED BY PASSENGER.—One who purchases a railroad ticket for the sole purpose of checking his baggage upon it, with the intention of going to his destination in his private conveyance, is held, in *Marshall v. Pontiac O. & N. R. Co.* (Mich.), 55 L. R. A. 650, to have